



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/269,503	03/29/1999	YASUSHI KANEKO	990348	1116

23850 7590 03/20/2002

ARMSTRONG, WESTERMAN & HATTORI, LLP
1725 K STREET, NW.
SUITE 1000
WASHINGTON, DC 20006

EXAMINER

RUDE, TIMOTHY L

ART UNIT	PAPER NUMBER
----------	--------------

2871

DATE MAILED: 03/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/269,503

Applicant(s)

KANEKO ET AL.

Examiner

Timothy L Rude

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 3,5,7,9,13 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,8,10-12,14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7,10. 6) ☐ Other: _____

DETAILED ACTION

Amendment

1. The amendment filed on 09 Jan 02 has been received and entered in the case.
2. Claims 3, 5, 7, 9, 13, and 15 have been canceled and are withdrawn from consideration. Claims 17 and 18 have been added and are under consideration.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk et al (Ouderkirk) USPAT 6124971 in view of Crawford et al (Crawford) USPAT 5867240, Kikuchi et al (Kikuchi) USPAT 5440413, and Arakawa USPAT 5528400.

As to Claim 1, Ouderkirk discloses the use of a reflective polarizer (claim 1), a front dichroic polarizer (claim 2), and a light absorbing member outside the reflective

Art Unit: 2871

polarizer (claim 8). Ouderkirk differs from the claimed invention because he does not disclose the use of a super twisted nematic liquid crystal, a retardation film having relations of $n_x > n_z > n_y$, and a diffuser disposed on the outside surface of the absorption-type polarizer. Crawford discloses in claim 4 a super twisted nematic liquid crystal cell having electrodes (claim 1, A, ii), a retardation film outside second substrate (claim 1, C and 1, E), an absorption-type polarizer outside the retardation film (claim 1, B), and a diffusion layer outside the absorption-type polarizer (col. 2, lines 35-38). Crawford also discloses as prior art the use of one or more retardation films with the relationship $n_x > n_z > n_y$ (col. 2, lines 55-63) to compensate for liquid crystal layer birefringence. Use of films with the relationship $n_x > n_z > n_y$ are also disclosed by Kikuchi (col. 8, lines 29-45) and Arakawa (col. 3, lines 19-64). Accordingly, as evidenced by Crawford, Kikuchi, and Arakawa, ordinary workers in the art would find the reason, suggestion, or motivation for a super twisted nematic liquid crystal cell having electrodes, a retardation film outside second substrate having relations of $n_x > n_z > n_y$, and a diffuser disposed on the outside surface of the absorption-type polarizer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk with the super twisted nematic liquid crystal cell having electrodes, a retardation film outside second substrate having relations of $n_x > n_z > n_y$, an absorption-type polarizer outside the retardation film of Crawford to improve display performance.

5. Claims 2, 4, 6, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk in view of Crawford and further in view of Bosma et al, USPAT 5576077 (Bosma).

As to Claim 2, the only limitation that differs from claim 1 is the twisted retardation film not disclosed by Ouderkirk in view of Crawford. Bosma discloses the use of a twisted retardation layer between the absorption-type polarizing film and the second substrate. Accordingly, as evidenced by Bosma, ordinary workers in the art would recognize the benefit of a twisted retardation layer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford with the twisted retardation layer of Bosma to better compensate the super twisted nematic liquid crystal.

As to Claims 4 and 6, Crawford discloses the use of various diffusion layers (or sheets) on the viewer side of the display device to improve viewing angle in column 2, lines 25 – 63.

As to Claim 14, Ouderkirk discloses the use of a backlight and an absorbing film between the backlight and the reflective polarizer to provide backside illumination with good contrast in claims 19 and 30.

As to Claim 16, Ouderkirk discloses the use of a diffuser between the first substrate and the reflection-type polarizer to provide diffuse reflection of one polarization and transmission of the other polarization in claim 1.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk in view of Crawford and Bosma, and further in view of Minowa et al, USPAT 4697885 (Minowa).

As to Claim 8, Ouderkirk discloses the use of a dichroic polarizer (claim 2), but he does not specify a color polarizing film. Minowa discloses the use of a color polarizer in Figure 1 and column 1, lines 29 – 38. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford and Bosma with the color polarizer of Minowa to achieve desired color effects.

7. Claims 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk in view of Crawford and Bosma and further in view of Yang et al, USPAT 5847798 (Yang).

As to Claims 10 and 17, Ouderkirk discloses the use of an absorbing layer (claims 8, 9, and 10), but he does not specify any color other than black. Yang discloses the use of a color absorption layer in Figure 7, and column 13, lines 46 – 49. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford with the color absorption layer of Yang to achieve desired color effects.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk in view of Crawford and further in view of Ebihara et al, USPAT 5990995 (Ebihara).

As to Claim 11, Ouderkirk in view of Crawford does not disclose the use of a solar cell. Ebihara discloses the use of a solar cell (Figure 11) column 8, lines 3 – 21. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford with the solar cell of Ebihara to convert light energy into electricity.

9. Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouderkirk in view of Crawford and Bosma, and further in view of Ebihara et al, USPAT 5990995 (Ebihara).

As to Claims 12 and 18, Ouderkirk in view of Crawford and Bosma does not disclose the use of a solar cell. Ebihara discloses the use of a solar cell (Figure 11) column 8, lines 3 – 21. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford and Bosma with the solar cell of Ebihara to convert light energy into electricity.

Applicant's Argument

5. Applicant's arguments filed on 09 Jan 02 have been fully considered, but they are not persuasive.

Regarding $n_x > n_z > n_y$, Crawford also discloses as prior art the use of one or more retardation films with the relationship $n_x > n_z > n_y$ (col. 2, lines 55-63) to compensate for liquid crystal layer birefringence. Use of films with the relationship $n_x > n_z > n_y$ are also disclosed by Kikuchi (col. 8, lines 29-45) and Arakawa (col. 3, lines 19-64).

Regarding a twisted retardation film, Bosma discloses the use of a twisted retardation layer between the absorption-type polarizing film and the second substrate. Accordingly, as evidenced by Bosma, ordinary workers in the art would recognize the benefit of a twisted retardation layer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Ouderkirk in view of Crawford with the twisted retardation layer of Bosma to better compensate the super twisted nematic liquid crystal.

Application/Control Number: 09/269,503
Art Unit: 2871

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy L Rude whose telephone number is (703) 305-0418. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L Sikes can be reached on (703) 308-4842. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.



Timothy L Rude
Examiner
Art Unit 2871

TLR
January 28, 2002



William L. Sikes
Supervisory Patent Examiner
Technology Center 2800